IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

PRESENT:

THE HON'BLE SMT JUSTICE T.MEENA KUMARI

&

THE HON'BLE SRI JUSTICE G.CHANDRAIAH

WRIT PETITION NO :18919 of 2007

DATED:10.9.2007

Between:

G.Venkateswarlu

..... PETITIONER

AND

A.P. Public Service Commission, rep by its Secretary, M.J.Road, Nampally, Hyderabad.

.....RESPONDENT

THE HON'BLE SMT JUSTICE T.MEENA KUMARI
&
THE HON'BLE SRI JUSTICE G.CHANDRAIAH

WRIT PETITION NO:18919 OF 2007

ORDER: (Per the Honourable Smt.Justice T.Meenakumari)

The petitioner has filed the present writ petition seeking to call for the records pertaining to the docket order dated 3.9.2007 in O.A.No:5229 of 2007 and also the proceedings No:423/ADB/1/2005, dated 31.8.2007 and set aside the same and direct the respondent to continue the petitioner as Assistant Secretary in A.P. Public Service Commission.

The petitioner herein is the applicant.

On the O.A filed by the applicant seeking to set aside the proceedings No:423/ADB/1/2005, dated 31.8.2007 and direct the respondent to continue the applicant as Assistant Secretary with all consequential benefits set aside the same and direct the respondent to continue the petitioner as Assistant Secretary in A.P. Public Service Commission and on the interim prayer as sought by the applicant seeking to suspend the proceedings dated 31.8.2007, the tribunal while admitting the O.A., issued notice to the respondent on 3.9.2007. Having aggrieved by the non granting of an interim order, the applicant has approached this Court by way of this present writ petition.

Heard the learned counsel for the applicant as well as the

learned Standing Counsel appearing for the respondent and perused the entire material available on record.

The material on record goes to show that the impugned proceedings in the present O.A., is an out come of the interim orders of this Court in W.P.No:16741 of 2007, dated 3.8.2007. The lis pending before the tribunal, is continuation of the dispute in question challenged by one D.Bhaskararao, Assistant Secretary.

When the tribunal issued notice to the respondent while admitting the O.A., the applicant has approached this Court for non granting of the interim order. In this regard, it is relevant to note that issuance of the notice to the other side is nothing but affording an opportunity before adjudicating the issue involved in the O.A. Therefore, on the mere notice, the applicant cannot maintain this writ petition.

Apart from that, according to the learned Standing counsel for the respondent, the applicant has already been reverted pursuant to the impugned proceedings in question.

In the above facts and circumstances of the case, We see no merits in this writ petition and the same is liable to be dismissed.

Accordingly, this writ petition is dismissed. No costs. However, the tribunal directed to dispose of the O.A. in accordance with law, within a period of three (3) months from the date of receipt of a copy of this order.

(JUSTICE T.MEENAKUMARI)

10th September, 2007

(JUSTICE G.CHANDRAIAH)

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THE HON'BLE SMT. JUSTICE T.MEENA KUMARI
&
THE HON'BLE SRI JUSTICE G.CHANDRAIAH

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WRIT PETITION NO:18919 of 2007
(Order delivered by the Honourable Smt.Justice T.Meena Kumari)

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10th September, 2007.